

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FRED W.,

Plaintiff,

v.

**COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

Case No. 2:22-cv-2026

Judge Edmund A. Sargus, Jr.

Magistrate Judge Peter B. Silvain, Jr.

ORDER

This matter comes before the Court on the Magistrate Judge's Report and Recommendation (ECF No. 13), in which the Magistrate Judge recommended that this case be remanded to the Social Security Administration pursuant to sentence four of § 405(g). The time for filing objections has passed and no objections have been filed. Accordingly, for the reasons set forth in the Report and Recommendation:

1. Plaintiff's Statement of Errors (ECF No. 9) be **GRANTED**;
2. The Commissioner's non-disability finding be **VACATED**;
3. No finding be made as to whether Plaintiff was under a "disability" within the meaning of the Social Security Act;
4. This matter be **REMANDED** to the Social Security Administration under sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendation.

IT IS SO ORDERED.

DATE

9-27-2023


**EDMUND A. SARGUS, JR.,
UNITED STATES DISTRICT JUDGE**